## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

FEDERAL TRADE COMMISSION,

STATE OF ILLINOIS, and

STATE OF MINNESOTA,

Plaintiffs,

v.

Case No. 1:25-cv-02391

District Judge Jeffrey I. Cummings

GTCR, LLC,

GTCR BC HOLDINGS, LLC, and

SURMODICS, INC.,

Defendants.

## NOTICE OF ERRATA TO DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Defendants GTCR, LLC, GTCR BC HOLDINGS, LLC, and SURMODICS, INC. ("Defendants") respectfully submit this Notice of Errata to Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction ("Opposition") (Dkt. 202).

The Opposition contained inadvertent typographical errors. Defendants respectfully submit the following corrections to the Opposition:

- On page 1: "Biocoat's currently-marked thermal-cured hydrophilic coatings" is corrected to read "Biocoat's currently-marketed thermal-cured hydrophilic coatings".
- 2. On page 13, footnote 27: "and [are] a strategic supplier" is corrected to read "and [is] a strategic supplier".

- 3. On page 18, footnote 41: "if the Court finds it liable first" is corrected to read "if the Court finds liability first".
- 4. On page 19: "and UV increase" is corrected to read "and UV increases".
- 5. On page 27: "PTFE, silicon oil" is corrected to read "PTFE, silicone oil".
- 6. On page 30: "in-house coatings are an alternative" is corrected to read "in-house coatings an alternative".
- 7. On page 32: "UV coating are" is corrected to read "UV coatings are".
- 8. On page 36: "and reflects the success" is corrected to read "and reflect the success".
- 9. On page 37: "Id. ¶¶ 299–02" is corrected to read "Id. ¶¶ 299–302".
- 10. On page 39: "But Plaintiffs work" is corrected to read "But Plaintiffs' work".

If the Court prefers, Defendants will expeditiously file a corrected Opposition.

Date: August 15, 2025 Respectfully submitted,

/s/ Sean M. Berkowitz

Sean M. Berkowitz
Gary Feinerman
Heather A. Waller
LATHAM & WATKINS LLP
330 North Wabash Avenue, Suite 2800
Chicago, IL 60611
312-876-7700
sean.berkowitz@lw.com
gary.feinerman@lw.com
heather.waller@lw.com

Kelly S. Fayne (pro hac vice) LATHAM & WATKINS LLP 505 Montgomery Street, Suite 2000 San Francisco, CA 94111 415-391-0600 kelly.fayne@lw.com

Marguerite Sullivan (pro hac vice)
Ian Conner (pro hac vice)
Amanda P. Reeves (pro hac vice)
Lawrence Buterman (pro hac vice)
LATHAM & WATKINS LLP
555 Eleventh Street, NW
Washington, DC 20004
202-637-2200
marguerite.sullivan@lw.com
ian.conner@lw.com
amanda.reeves@lw.com
lawrence.buterman@lw.com

## /s/ Daniel P. Culley

Daniel P. Culley
D. Bruce Hoffman (pro hac vice)
Blair West Matthews (pro hac vice)
Cleary Gottlieb Steen & Hamilton LLP
2112 Pennsylvania Avenue NW
Washington, DC 20037
(202) 974-1593
dculley@cgsh.com
bhoffman@cgsh.com
bmatthews@cgsh.com

Heather S. Nyong'o (pro hac vice) Cleary Gottlieb Steen & Hamilton LLP 650 California St. San Francisco, CA 94108 415-796-4400 hnyongo@cgsh.com

Counsel for Defendants GTCR, LLC and GTCR BC Holdings, LLC

## <u>/s/ Paul Saint-Antoine</u>

Paul Saint-Antoine (pro hac vice)
Joanne C. Lewers (pro hac vice)
FAEGRE DRINKER BIDDLE & REATH
LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103
(215) 988-2990
paul.saint-antoine@faegredrinker.com

Joshua P. Mahoney
FAEGRE DRINKER BIDDLE & REATH
LLP
320 South Canal Street, Suite 3300
Chicago, IL 60606
Tel: (312) 212-6520
josh.mahoney@faegredrinker.com

Counsel for Defendant Surmodics, Inc.